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Attorneys for BRADLEY LA FORCE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

BRADLEY LA FORCE,

Plaintiff,

v.

GOSMITH, INC, and DOES 1-25

Defendant.

Civil Case No.: 17-cv-5101

DECLARATION OF JEREMY M. GLAPION IN OPPOSITION TO DEFENDANT'S

MOTION TO COMPEL ARBITRATION

I, Jeremy M. Glapion, declare as follows:

1. I am the founder of the Glapion Law Firm and lead counsel for Plaintiff, Bradley La Force, in this matter.
2. Included with Plaintiff's Opposition to Defendant's Motion to Compel Arbitration are Exhibits A through K.
3. Exhibit A is a true and accurate copy of the Declaration of Brenton Marrelli, taken from the docket of *Rojas v. GoSmith, Inc.*, Case No. 17-cv-00281 (N.D. Ind.), Dkt. 16-2.
4. Exhibit B is a true and accurate copy of the first of two pages of the signup screen of Defendant's mobile application, taken on October 26, 2017 on a Samsung Galaxy S8+ at 2220x1080 resolution and using the Google Chrome Browser.
5. Exhibit C is a true and accurate copy of the second of two pages of the signup screen of Defendant's mobile application, taken on October 26, 2017 on a Samsung Galaxy S8+ at 2220x1080 resolution and using the Google Chrome Browser.
6. Exhibit D is a true and accurate copy of the Internet Archive: Wayback Machine's cache of Defendant's signup page as of October 1, 2015.
7. Exhibit E is a true and accurate copy of the Internet Archive: Wayback Machine's cache of Defendant's signup page as of October 16, 2015.
8. Exhibit F is a true and accurate copy of a screenshot taken on October 30, 2017 of how Defendant's current signup page located at <http://www.gosmith.com/SignUp.html> appears when it first loads on at 1920x1080 resolution on a desktop computer using the Google Chrome browser at full screen and with the taskbar hidden.
9. Exhibit G is a true and accurate copy of a screenshot taken on October 20, 2017 of how Defendant's current signup page located at <http://www.gosmith.com/SignUp.html> appears when it first loads on a 10.5" iPad Pro.
10. Exhibit H is a true and accurate copy of a screenshot taken on October 20, 2017 on a 10.5"

iPad Pro showing that it is possible to view and click the “SIGN UP” button without seeing any terms and conditions on Defendant’s current signup page located at <http://www.gosmith.com/SignUp.html>.

11. Exhibit I is a true and accurate copy of a screenshot taken on October 20, 2017 of how Defendant’s current signup page located at <http://www.gosmith.com/SignUp.html> appears when it first loads on a Samsung Galaxy S8+ at 2220x1080 resolution and using the Google Chrome Browser.

12. Exhibit J is a true and accurate copy of a screenshot taken on October 20, 2017 on a Samsung Galaxy S8+ at 2220x1080 resolution and using the Google Chrome Browser showing that it is possible to view and click the “SIGN UP” button without seeing any terms and conditions on Defendant’s current signup page located at <http://www.gosmith.com/SignUp.html>.

13. Exhibit K is a true and accurate copy of the Internet Archive: Wayback Machine’s cache of Defendant’s signup page as of June 10, 2017.

14. I declare under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

Dated: October 31, 2017

/s/ Jeremy M. Glapion
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